LISTING OF THE CLAIMS:

1. (Currently Amended) A method of making germline-transformed soybean plants using *Agrobacterium* mediation, the method comprising:

(a) initiating the germination of a soybean seed;

(b) isolating the embryonic axis including the embryonic meristem from the soybean seed to prepare an explant;

(c) exposing the explant to a disarmed *Agrobacterium* vector ~~containing~~ comprising a heterologous genetic construct ~~including~~ comprising a selectable marker gene ~~under conditions in which~~ wherein the heterologous genetic construct is transferred into at least one cell in the explant;

(d) culturing the explant in the presence of a selection agent in a manner ~~capable of identifying~~ allowing identification of soybean cells of the explant to which the heterologous genetic construct has been transferred;

(e) inducing formation of one or more shoots from the explant, the shoot comprising germline transformed cells;

(f) cultivating the shoot into a whole fertile mature soybean plant.

2. (Currently Amended) The method of claim 1 wherein [[in]] step (c) ~~the explant~~ is ~~exposed to the *Agrobacterium* vector~~ within 14 hours after ~~initiation of~~ step (a).

3. (Currently Amended) The method of claim 1 wherein the heterologous genetic construct comprises [of] a gene of interest and a coding sequence encoding a protein that confers glyphosate tolerance to a plant cell in which the sequence is expressed.

4. (Currently Amended) The method of claim 3 wherein the ~~heterologous genetic construct~~

~~further comprises a coding sequence encoding~~ protein that confers glyphosate tolerance is an EPSP synthase protein.

5. (Original) The method of claim 4, wherein the EPSP synthase protein is the CP4 protein.

6. (Original) The method of claim 1, wherein the selection agent is glyphosate.

7. (Currently Amended) The method of claim 1 wherein the heterologous genetic construct comprises [[of]] a gene of interest and a coding sequence encoding a protein that confers kanamycin tolerance to a plant cell in which the protein is produced.

8. (Currently Amended) The method of claim 7 wherein the ~~heterologous genetic construct further comprises a coding sequence encoding~~ protein that confers kanamycin tolerance is a neomycin phosphotransferase II (nptII) protein.

9. (Original) The method of claim 1 wherein the selection agent is kanamycin.

10. (Original) The method of claim 1 wherein inducing formation of one or more shoots from the explant comprises application of a hormone or glyphosate to the explant.

11. (New) The method of claim 1, wherein the explant is wounded following step (b) and prior to step (c).

12. (New) The method of claim 11, wherein the explant is wounded by exposing said explant to ultrasonic waves.

13. (New) The method of claim 11, wherein the explant is wounded by exposing said explant to a plasma blast discharge.

14. (New) The method of claim 11 wherein the explant is wounded by puncturing the soybean explant with a needle, other sharp object, or an abrasive object.

15. (New) A transgenic soybean plant produced according to the method of claim 1.

16. (New) A method of transforming a soybean cell using *Agrobacterium* comprising:

(a) initiating the germination of a soybean seed;

(b) isolating the embryonic axis including the embryonic meristem from the soybean seed to prepare an explant;

(c) exposing the explant to a disarmed *Agrobacterium* vector comprising a heterologous genetic construct comprising a selectable marker gene wherein the heterologous genetic construct is transferred into at least one cell in the explant;

(d) culturing the explant in the presence of a selection agent in a manner allowing identification of soybean cells of the explant to which the heterologous genetic construct has been transferred.

17. (New) A transformed soybean cell prepared according to the method of claim 16.

18. (New) The method of claim 16, further comprising the step of (e) inducing formation of one or more shoots from the explant, the shoot comprising germline transformed cells.

19. (New) A transgenic soybean shoot prepared according to the method of claim 18.